

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Richard L. Solomon

Group Art Unit: 2163

Serial No.: 09/082,663

Filed: 21 May 1998

Attorney Docket No: 97-125

For: Method and Apparatus for  
Emulating a Device within a Data  
Processing System

**Certificate of Transmission**

I hereby certify that this correspondence is being facsimile transmitted to the following Patent and Trademark Office  
Fax number:

703.308.6916

on 4 October 2001 (Date).  
Peter P. Scott

**PETITION TO WITHDRAW**  
**HOLDING OF ABANDONMENT -**  
**OFFICE ACTION NOT RECEIVED**

Box DAC  
Assistant Commissioner for Patents  
Washington, D.C. 20231

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OCT - 4 2001

PETITIONS OFFICE

Dear Sir:

The undersigned representative for the Applicant(s) respectfully petitions the Commissioner to withdraw the holding of abandonment in this case pursuant to 37 C.F.R. 1.181(a). The basis for this Petition is the non-receipt of an Office Action mailed 5 June 2000.

The undersigned hereby states:

1. that the aforementioned Office Action was not received;
2. that all patent related file jackets and docket records for the assignee of record, LSI Logic Corporation, are kept and maintained by the patent law department of LSI Logic in Milpitas, California; and
3. that a search of the file jacket and the docket record for the subject application in Milpitas indicates that the Office Action was not received.

A copy of the entire docket record for the subject application showing all replies docketed, if any, for a date three months from the mailing date of the Office Action is attached.

In consideration of the statements and evidence provided herein, the undersigned respectfully requests that the holding of abandonment be withdrawn.

Please charge all fees due in connection with this Petition, if any, against the Deposit Account No. 12-2252 of LSI Logic Corporation.

If it is felt for any reason that direct communication with the Applicant's attorney would serve to advance prosecution of this case to finality, the Examiner is invited to call the undersigned Peter P. Scott at the telephone number below.

**AUTHORIZATION TO PAY AND PETITION  
FOR THE ACCEPTANCE OF ANY NECESSARY FEES**

If any charges or fees must be paid in connection with this communication (including but not limited to the payment of an extension fee or issue fees), or if any overpayment is to be refunded in connection with the present application, any such charges or fee, or any such overpayment may be respectively paid out of, or into, the Deposit Account No. 12-2252 of LSI Logic Corporation. If any such payment also requires a Petition or Extension Request, please construe this authorization as the required Petition or Request.

Respectfully submitted,

**Richard L. Solomon**



By: Peter P. Scott  
Attorney for Applicant  
Reg. No. 33,279

LSI Logic Corporation  
1551 McCarthy Blvd  
M/S AD-106  
Milpitas, CA 95035

719.533.7969 (Voice)  
719.533.7254 (Fax)

Date: *4 October 2001*

LSI Logic Confidential

Docket Number : 97-125

LSI Logic Confidential

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## Method and Apparatus for Emulating a Device within a Data Processing System

## Inventor(s) :

1. Richard Solomon

Ph: [+1] 719-533-7000 x7456 MS: AL101 Email: solomon@lsi.com VP: Wuertz, William

Type of Application : Parent

Country of filing : United States

Country of first filing : United States

LSI Paralegal : Maria Kovacs - Ph: [+1] 408-433-8708 - MS: AD106 - Email: mkovacs@lsil.com

LSI Attorney : Peter Scott - Ph: [+1] 719-533-7969 - MS: AL100 - Email: pscott@lsil.com

LSI Reviewer : Brian K. Herbert - Ph: Left LSI Symbios - MS: COLO - Email:

LSI Approver : William Wuertz - Ph: [+1] 719-533-7266 - MS: AL101 - Email: bwuertz@lsil.com

Outside Counsel : Yee, Duke-CARSTENS, YEE &amp; CAHOON, L.L.P.- (972) 367-2001

Law Firm docket :

The Foreign Filing decision is pending.

Ratings

Status of Application Pending

Technology : CIRCUIT

Serial Number : 09/082,663

0 pages of specification. 0 sheets of drawings.

Group Art Unit: 2763

Examiner: Choi, Kyla

Fri, Oct 17, 1997	- Disclosure - Received from Inventor(s) -	
Wed, Jan 21, 1998	- SIPT Date -	
Thu, May 21, 1998	- Filed w/PTO with formals -	
Mon, Nov 30, 1998	- Comment - foreign filing available - Yes	11/30/1998
Thu, May 20, 1999	- Transferred folders to California - Received	5/1/1999
Tue, Jun 22, 1999	- Filed Power of Attorney - Filed change of correspondence address, certificate of ownership, evidence of assignment and certification of assignee.	6/22/1999
Thu, Jul 08, 1999	- Log - Sent reminder to Inventor(s) - Dear Richard, Please note that we are still awaiting an Office Action to come from the Patent Trademark office, and have scheduled to file a "Request Status" document in November... but, we may hear from the Examiner before then. Regards,	7/8/1999
Mon, Jul 26, 1999	- Commn. from PTO - Received - Rec'd proof post card from PTO Mailroom Re: Evidence of Ownership etc. date-stamped: June 24, 1999.	7/26/1999
Tue, Jan 04, 2000	- Received notification of 1st Non Final Office Action -	1/4/2000
Thu, Jan 06, 2000	- Authorized 1st Non Final Office Action Response -	1/6/2000
Thu, Jan 06, 2000	- Log - Sent reminder to Outside Counsel - Copy shop will prepare duplicate of OA and file and will express mail to your attention.	1/6/2000
Thu, Jan 06, 2000	- Log - Sent reminder to Outside Counsel - I am having Copy Shop duplicate file w/OA & refs; to be Federal Expressed TODAY to your attention.	1/13/2000
Mon, Jan 10, 2000	- Comment - docketed all PTO cited Prior Art and LSI cited Prior Art.	1/10/2000
Thu, Mar 23, 2000	- Filed Response to 1st Non Final Office Action -	3/23/2000
Thu, Mar 23, 2000	- Response to 1st non final Office Action to be filed by -	1/4/2000
Fri, Mar 24, 2000	- Filed Response to 1st Non Final Office Action -	3/30/2000

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Docket Number : 97-125

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Tue, Feb 06, 2001 - Commn. from Outside Counsel - Received - Maria, I just got a call from the Examiner in this case. He said that he rec'd our Response to Office Action dated March 23, 2000 and sent a request for clarification to your address. We never rec'd it and now this case is on his abandonment list. Please check into this and let me know how to proceed.

2/6/2001

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Thanks,

Krista

Tue, Feb 06, 2001 - Log - Sent reminder to Paralegal - look for pto request for clarification, Krista is talking about.

2/6/2001

Thu, Mar 22, 2001 - Log - Sent reminder to Attorney - Hi Pete, F.Y.I.  
Sent automatic e-mail to Duke Yee office.:

mkovacs  
3/22/2001

Krista, we never received a request for clarification (on the office action response mailed 3-24-01) that you speak of, from the Examiner (who you spoke to in February). We did now receive a notice of abandonment for failure to reply to an office letter dated 5-june 2000. Apparently, we had never received this office letter. (I was on maternity leave from March 3 until September 2000) but my substitutes would have docketed it into the database it come. I will fax you a copy of notice of abandonment needing attention. Regards, maria

Thu, Mar 22, 2001 - Log - Sent reminder to Outside Counsel - Krista, we never received a request for clarification (on the office action response mailed 3-24-01) that you speak of, from the Examiner (who you spoke to in February). We did now receive a notice of abandonment for failure to reply to an office letter dated 5-june 2000. Apparently, we had never received this office letter. (I was on maternity leave from March 3 until September 2000) but my substitutes would have docketed it into the database it come. I will fax you a copy of notice of abandonment needing attention. Regards, maria

3/22/2001

Fri, Mar 23, 2001 - Commn. with Outside Counsel - Maria, Duke recommends filing a Petition to Revive arguing that we never received the Office Action. If this is what you would like, please send me an authorization.

3/23/2001

Thanks,

Krista

Fri, Mar 23, 2001 - Log - Sent reminder to Paralegal - Maria, please scan in the Notice of Abandonment. I plan to call the examiner to find out what is happening here. Thanks.  
Pete

pscott  
3/23/2001

Thu, Sep 20, 2001 - Comment - Maria, it looks as though we received a notice of abandonment in this case. Please authorize Duke to prepare a petition to revive. Thanks.  
Pete

9/20/2001

Thu, Sep 20, 2001 - Log - Emailed quicknote - TO : - Paralegal - mkovacs@lsil.com  
Patent 97-125 - Petition to Revive  
Maria, it looks as though we received a notice of abandonment in this case. Please authorize Duke to prepare a petition to revive. Thanks.  
Pete

9/20/2001

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Docket Number : 97-125

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Thu, Sep 20, 2001 - Log - Emailed quicknote - TO : - Outside Counsel - yee@cyclaw.com - Attorney - pscott@lsil.com  
 Patent 97-125 - Authorization to do Petition to Revive  
 Attached files :

9/20/2001

1. \\NAMILMAS4\Legal\NP\Patent\97-125-p-com.PDF;

Dear Duke, Pete Scott authorizes you to do a Petition to Revive on 97-125. I am attaching the Notice of Abandonment which was originally faxed to you on 3-22-01. The print on the cover page is very light, but the information is the following: Application No. 09/082,663

Filing Date: 05/21/98

First Named Inventor: Solomon R.

Attorney Docket No. 97-125

Art Unit: 2163

Paper Number: 8

Date Mailed: 03/12/01

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Billing Authorization Codes:

i. Attorneys fees for a petition - \$500

4PA - Preparation of Amendments other than OA responses.

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ii. PTO Fees for Petition - \$1,240

50 - Other PTO Fees

If you have any questions, please do not hesitate to contact us. Regards, Maria

Tue, Oct 02, 2001 - Commn. from Outside Counsel - Received - Mike Nichols called to say that a petition to withdraw holding of abandonment is better solution. He'll fax me a form to use. Will save on fees.

10/2/2001

Tue, Oct 02, 2001 - Log - Sent reminder to Paralegal - Maria, I just spoke with John Nicols from Duke's office. He recommended a different petition that will save us some money. I'll send in this petition, and Duke's office will take no action:

10/2/2001

Pete

Wed, Oct 10, 2001 - Due Date - to remind Paralegal - check to see what's been done on our end..

10/2/2001

Wed, Dec 12, 2001 - Due Date - to request status of application -

mkovacs

1/22/2001

## Keywords :

01. Bus: Emulation CIRCUIT - Comp

Billing	Type of transaction	Entry	Invoice	Firm
\$168.00	Filing Fees	11-Apr-00	07-Apr-00	CARSTENS, YEE
\$1,489.00	Preparation of Response to 1s	11-Apr-00	07-Apr-00	CARSTENS, YEE
<b>\$1,657.00</b>				

LSI Logic Corporation  
1551 McCarthy Blvd  
M/S AD-106  
Milpitas, CA 95035

LSI LOGIC®

#9

# Fax

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**To:** Office of Petitions**From:** Peter P. Scott

PETITIONS OFFICE

**Fax:** 703.308.6916**Pages:** 6**Phone:** 703.305.9285**Date:** 4 October 2001**Applicant:** Richard L. Solomon**Group Art Unit:** 2163**Serial No.:** 09/082,663

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Technology Center 2100

**Filed:** 21 May 1998**Attorney Docket No:** 97-125**For:** Method and Apparatus for Emulating a  
Device Within a Data Processing  
System

RE: Petition to Withdraw Holding of Abandonment - Office Action Not Received

Please find enclosed a Petition to Withdraw Holding of Abandonment - Office Action Not Received and a print-out of the docket record for the subject application.